

7-23-01

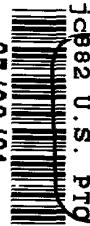
PTO/SB/05 (11-00)

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Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. Mo-6439/LeA 34,771

First Inventor Werner Zitzmann

Title Heliothis Virescens Ultraspiracle (USP)...

Express Mail Label No. ET146894696US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)

2. Applicant claims small entity status.
See 37 CFR 1.27

3. Specification [Total Pages 18]
(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. Drawing(s) (35 U.S.C. 113) [Total Sheets]

5. Oath or Declaration [Total Pages 2]

a. Newly executed (original or copy)
Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)

i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b)

6. Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents

Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

a. Computer Readable Form (CRF)

b. Specification Sequence Listing on:

- i. CD-ROM or CD-R (2 copies); or
- ii. paper

c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))

10. 37 CFR 3.73(b) Statement Power of (when there is an assignee) Attorney

11. English Translation Document (if applicable)

12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations

13. Preliminary Amendment

14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)

15. Certified Copy of Priority Document(s) (if foreign priority is claimed)

16. Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.

17. Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part(CIP) of prior application No _____ /

Prior application information Examiner _____

Group Art Unit _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

 Customer Number or Bar Code Labelor Correspondence address below

Name

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PATENT TRADEMARK OFFICE

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Fax

Name (Print/Type)

Jackie Ann Zurcher

Registration No. (Attorney/Agent)

42,251

Signature

Date

July 20, 2001

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FEE TRANSMITTAL for FY 2000

Patent fees are subject to annual revision

Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12
See 37 C F R §§ 1.27 and 1.28

TOTAL AMOUNT OF PAYMENT (\$858.00)

Complete if Known

Application Number	To Be Assigned
Filing Date	Herewith
First Named Inventor	Werner Zitzmann
Examiner Name	
Group / Art Unit	
Attorney Docket No.	Mo-6439/LeA 34,771

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to

Deposit Account Number 13-3848

Deposit Account Name Bayer Corporation

 Charge Any Additional Fee Required
Under 37 CFR §§ 1.16 and 1.172. Payment Enclosed: Check Money Order Other

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee	Fee	Fee	Fee Description	Fee Paid
105	130	205	65		Surcharge - late filing fee or oath	
127	50	227	25		Surcharge - late provisional filing fee or cover sheet	
139	130	139	130		Non-English specification	
147	2,520	147	2,520		For filing a request for reexamination	
112	920*	112	920*		Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*		Requesting publication of SIR after Examiner action	
115	110	215	55		Extension for reply within first month	
116	380	216	190		Extension for reply within second month	
117	870	217	435		Extension for reply within third month	
118	1,360	218	680		Extension for reply within fourth month	
128	1,850	228	925		Extension for reply within fifth month	
119	300	219	150		Notice of Appeal	
120	300	220	150		Filing a brief in support of an appeal	
121	260	221	130		Request for oral hearing	
138	1,510	138	1,510		Petition to institute a public use proceeding	
140	110	240	55		Petition to revive - unavoidable	
141	1,210	241	605		Petition to revive - unintentional	
142	1,210	242	605		Utility issue fee (or reissue)	
143	430	243	215		Design issue fee	
144	580	244	290		Plant issue fee	
122	130	122	130		Petitions to the Commissioner	
123	50	123	50		Petitions related to provisional applications	
126	240	126	240		Submission of Information Disclosure Stmt	
581	40	581	40		Recording each patent assignment per property (times number of properties)	
146	690	246	345		Filing a submission after final rejection (37 CFR § 1.129(a))	40.00
149	690	249	345		For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify) _____						
Other fee (specify) _____						
Reduced by Basic Filing Fee Paid						SUBTOTAL (3) (\$ 40.00)

SUBMITTED BY

Name (Print/Type)	Jackie Ann Zurcher	Registration No (Attorney/Agent)	42,251	Telephone	412-777-8356
Signature	<i>Jackie Ann Zurcher</i>			Date	July 20, 2001

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PATENT APPLICATION
Mo-6439
LeA 34,771

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF)
WERNER ZITZMANN ET AL)
SERIAL NUMBER: TO BE ASSIGNED)
FILED: HEREWITH)
TITLE: HELIOTHIS VIRESSENS)
ULTRASPIRACLE (USP) PROTEIN)

STATEMENT VERIFYING IDENTITY OF SEQUENCE LISTING

Assistant Commissioner for Patents

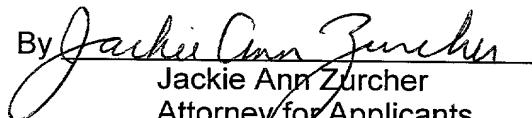
Washington, DC 20231

Dear Sir:

The content of the sequence listing information recorded in computer readable form on the enclosed diskette is identical to the written paper sequence listing and includes no new matter.

The attached diskette is submitted in American Standard Code for Information Interchange (ASCII) text and is properly labeled for the convenience of the U.S. Patent & Trademark Office.

Respectfully submitted,

By 
Jackie Ann Zurcher
Attorney for Applicants
Reg. No. 42,251

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100 Bayer Road
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(412) 777-8356
FACSIMILE PHONE NUMBER:
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"Express Mail" mailing label number ET146894696US
Date of Deposit July 20, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231

Donna J. Veatch
(Name of person mailing paper or fee)

Signature of person mailing paper or fee